

**Michael Fuller, OSB No. 09357**

OlsenDaines

US Bancorp Tower

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Portland, Oregon 97204

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Direct 503-743-7000

Of Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

**CARLTON CHASE,**  
**ERIC MACCARTNEY** and  
**LUANNE MUELLER,**  
individually and on  
behalf of all others,

Case No. 3:18-cv-00568-AC

**COVER SHEET**

Plaintiffs,

v.

**GORDON, AYLWORTH &**  
**TAMI, P.C.** and **VISION**  
**INVESTIGATIVE SERVICE,**  
**LLC,**

Defendants.

# EXHIBIT 1

**COVER SHEET**

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR CLACKAMAS COUNTY

MIDLAND FUNDING, LLC,

Case No. \_\_\_\_\_

Plaintiff,

vs.

COMPLAINT  
(For Breach of Contract)  
ORS 21.160(1)(a)

CARLTON CHASE, IV,

**FOR A CLAIM LESS THAN \$10,000**  
SUBJECT TO MANDATORY ARBITRATION  
TOTAL CLAIM: \$752.64

Defendant.

Plaintiff alleges:

BREACH OF CONTRACT

1.

Plaintiff is a limited liability company, which for good and valuable consideration purchased Defendant's Synchrony Bank/Lowe's credit account and contract and all of the associated rights thereunder.

2.

Defendant, an individual residing in Clackamas County Oregon, entered into a contract with Synchrony Bank/Lowe's for a credit account. The credit account was issued to Defendant under the account number \*\*\*\*\*4184.

3.

Synchrony Bank/Lowe's supplied the credit account to Defendant subject to an agreement to repay all amounts charged to the account plus all associated costs and fees.

4.

Defendant thereafter used the credit account and became indebted to Synchrony Bank/Lowe's.

5.

Synchrony Bank/Lowe's performed its obligations under the terms of the contract.

6.

Defendant breached the contract by failing to make payment(s) as agreed. As a result, Defendant's credit account was charged off for delinquency on April 12, 2015.

7.

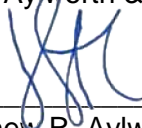
As a result of Defendant's breach, Defendant is indebted to Plaintiff in the sum of \$752.64. Plaintiff is also entitled to actual costs and disbursements.

WHEREFORE, Plaintiff prays for judgment against Defendant as follows:

1. The sum of \$752.64;
2. Plaintiff's costs and disbursements incurred herein.

Dated this 4th day of May, 2017.

Gordon, Aylworth & Tami, P.C.



☐ Matthew R. Aylworth, OSB #070930

☐ Eleanor Tami, OSB #105214

☒ Jessica A. Smith, OSB #144344

☐ Peter A. Zochowski, OSB #131605

Of Attorneys for Plaintiff

Trial Attorney not yet appointed

7/6/2017 1:17:55 PM  
17CV19572

## **RETURN OF SERVICE**

State of Oregon

County of Clackamas

Circuit Court

Plaintiff:

Midland Funding, LLC

Case # 17CV19572

vs.

Defendant:

Carlton Chase, IV

For:

Gordon, Aylworth & Tami, P.C.

P.O. Box 22338

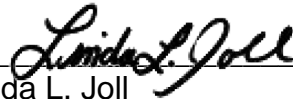
Eugene, OR 97402

Received by Vision Investigative Services, LLC to be served on Carlton Chase, IV, 27730 S.E. McMinn Rd., Eagle Creek, OR 97022-9681,

I, Linda L. Joll, do hereby affirm that on June 20, 2017,

Defendant was served a true copy of the Summons and Complaint at the address of 11490 SE Sunnyside Rd. Apt 35, Clackamas, OR 97015-5311, via certified mail, return receipt requested, restricted delivery. Attached hereto as Exhibit A is the certified mail receipt stamped by the US Post Office at Eugene, OR and the certified receipt signed by the Defendant on June 20, 2017. A follow-up mailing by first class mail occurred on June 27, 2017.

I am a competent person over the age of 18, a resident of the State of Oregon, and not a party to this action. I hereby declare under penalty of perjury under the laws of this State that the foregoing is true and correct.



Linda L. Joll

Process Server

Vision Investigative Services, LLC

P.O. Box 24005

Eugene, OR 97402

(541) 342-2276



Date: June 21, 2017

NOEL JOHNSON:

The following is in response to your June 21, 2017 request for delivery information on your Certified Mail™/RRE/RD item number 9236090179076110272497. The delivery record shows that this item was delivered on June 20, 2017 at 3:52 pm in CLACKAMAS, OR 97015. The scanned image of the recipient information is provided below.

Signature of Recipient :

A scanned image of a handwritten signature in black ink on a white background. The signature is cursive and appears to read "Noel Johnson". To the left of the signature is a vertical postal barcode.

Address of Recipient :

A scanned image of a handwritten address in black ink on a white background. The address is "11110 SW 11th Ave, #33". To the left of the address is a vertical postal barcode.

Thank you for selecting the Postal Service for your mailing needs.

If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,  
United States Postal Service

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR CLACKAMAS COUNTY

MIDLAND FUNDING, LLC,

Plaintiff,

vs.

CARLTON CHASE, IV,

Defendant.

Case No. 17CV19572

STATEMENT FOR COSTS AND  
DISBURSEMENTS FOR PLAINTIFF  
(UTCR 5.080)

The undersigned attorney offers the following facts in support of an award of reasonable and necessary costs and disbursements:

1. Plaintiff is entitled to the recovery of reasonable and necessary costs and disbursements as authorized by ORCP 68A(2), including expedited service fees pursuant to ORS 20.115(2)(d). The costs, as detailed below, are billed directly to the client and are not overhead expenses.
2. Expedited Service was necessary and the service fees set forth below reflect the actual costs of the service.

Filing Fee:	\$158.00
Service Fees (expedited service):	\$45.00
TOTAL:	\$203.00

**I hereby declare that the above statement is true to the best of my knowledge and belief and that I understand it is made for use as evidence in court and is subject to penalty for perjury.**

Dated this 24 day of July, 2017.

Gordon, Aylworth & Tami, P.C.



☐ Matthew R. Aylworth, OSB #070930

☐ Eleanor Tami, OSB #105214

☐ Jessica A. Smith, OSB #144344

☒ Peter A. Zochowski, OSB #131605  
of Attorneys for Plaintiff

IN THE CIRCUIT COURT FOR THE STATE OF OREGON  
FOR CLACKAMAS COUNTY

MIDLAND FUNDING, LLC,

Plaintiff,

Case No. 17CV19572

vs.

CARLTON CHASE, IV,

Defendant.


SATISFACTION  
OF JUDGMENT

\_\_\_ Partial or

XX Full Satisfaction of Judgment made and entered in the entitled Court and Cause.

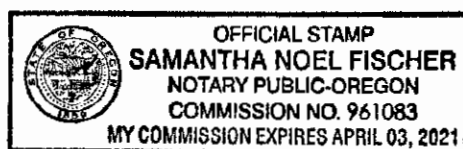
Dated this 25th day of September, 2017.

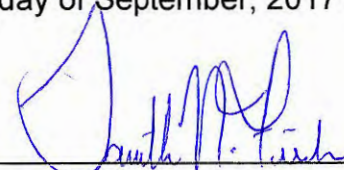
Gordon, Aylworth & Tami, PC

  
[ ] Matthew R. Aylworth, OSB#070930  
[ ] Eleanor Tami, OSB#105214  
[x] Jessica A. Smith, OSB #144344  
[ ] Peter A. Zochowski, OSB #131605  
of Attorneys for Plaintiff

State of OREGON  
County of Lane

SIGNED AND SWORN before me, this 25 day of September, 2017 by the above  
named Attorney for Judgment Plaintiff.



  
Notary Public for Oregon

5/4/2017 2:08:44 PM  
17CV18244

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR MULTNOMAH COUNTY

MIDLAND FUNDING, LLC,

Case No. \_\_\_\_\_

Plaintiff,

vs.

COMPLAINT  
(For Breach of Contract)  
ORS 21.160(1)(a)

ERIC MACCARTNEY,

**FOR A CLAIM LESS THAN \$10,000**  
SUBJECT TO MANDATORY ARBITRATION  
TOTAL CLAIM: \$1,057.48

Defendant.

Plaintiff alleges: BREACH OF CONTRACT

1.

Plaintiff is a limited liability company, which for good and valuable consideration purchased Defendant's Synchrony Bank/Home Design credit account and contract and all of the associated rights thereunder.

2.

Defendant, an individual residing in Multnomah County Oregon, entered into a contract with Synchrony Bank/Home Design for a credit account. The credit account was issued to Defendant under the account number \*\*\*\*\*2512.

3.

Synchrony Bank/Home Design supplied the credit account to Defendant subject to an agreement to repay all amounts charged to the account plus all associated costs and fees.

4.

Defendant thereafter used the credit account and became indebted to Synchrony Bank/Home Design.

5.

Synchrony Bank/Home Design performed its obligations under the terms of the contract.



1 6.

2 Defendant breached the contract by failing to make payment(s) as agreed. As a result,  
3 Defendant's credit account was charged off for delinquency on April 3, 2016.

4 7.

5 As a result of Defendant's breach, Defendant is indebted to Plaintiff in the sum of \$1,057.48.  
6 Plaintiff is also entitled to actual costs and disbursements.

7  
8 WHEREFORE, Plaintiff prays for judgment against Defendant as follows:

- 9 1. The sum of \$1,057.48;  
10 2. Plaintiff's costs and disbursements incurred herein.

11  
12 Dated this 24 day of April, 2017.

13 Gordon, Aylworth & Tami, P.C.

14 

15 ☐ Matthew R. Aylworth, OSB #070930

16 ☐ Eleanor Tami, OSB #105214

17 ☐ Jessica A. Smith, OSB #144344

18 ☒ Peter A. Zochowski, OSB #131605

19 Of Attorneys for Plaintiff

20 Trial Attorney not yet appointed

## **RETURN OF SERVICE**

State of Oregon

County of Multnomah

Circuit Court

Plaintiff:

Midland Funding, LLC

Case # 17CV18244

vs.

Defendant:

Eric MacCartney

For:

Gordon, Aylworth & Tami, P.C.

P.O. Box 22338

Eugene, OR 97402

Received by Vision Investigative Services, LLC to be served on Eric MacCartney,  
2001 S.E. 101st Ave., Portland, OR 97216-2623,

I, Linda L. Joll, do hereby affirm that on May 22, 2017,

Defendant was served a true copy of the Summons and Complaint at the address of 2001 S.E. 101st Ave., Portland, OR 97216-2623, via certified mail, return receipt requested, restricted delivery. Attached hereto as Exhibit A is the certified mail receipt stamped by the US Post Office at Eugene, OR and the certified receipt signed by the Defendant on May 22, 2017. A follow-up mailing by first class mail occurred on May 30, 2017.

I am a competent person over the age of 18, a resident of the State of Oregon, and not a party to this action. I hereby declare under penalty of perjury under the laws of this State that the foregoing is true and correct.

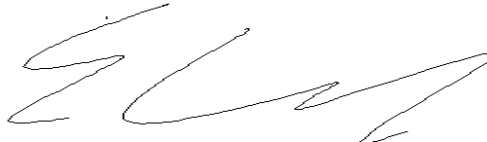
  
\_\_\_\_\_  
Linda L. Joll  
Process Server  
Vision Investigative Services, LLC  
P.O. Box 24005  
Eugene, OR 97402  
(541) 342-2276

Date Produced: 05/29/2017

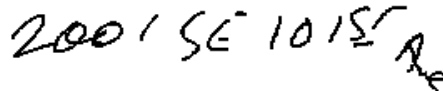
GORDON AYLWORTH TAMI PC:

The following is the delivery information for Certified Mail™/RRE/RD item number 9236 0901 7907 6110 2598 63. Our records indicate that this item was delivered on 05/22/2017 at 05:04 p.m. in PORTLAND, OR 97216. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :



Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,  
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

EXHIBIT A

Customer Reference Number: 6011358730

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR MULTNOMAH COUNTY

MIDLAND FUNDING, LLC,  
Plaintiff,  
vs.  
ERIC MACCARTNEY,  
Defendant.

Case No. 17CV18244

STATEMENT FOR COSTS AND  
DISBURSEMENTS FOR PLAINTIFF  
(UTCR 5.080)

The undersigned attorney offers the following facts in support of an award of reasonable and necessary costs and disbursements:

1. Plaintiff is entitled to the recovery of reasonable and necessary costs and disbursements as authorized by ORCP 68A(2), including expedited service fees pursuant to ORS 20.115(2)(d). The costs, as detailed below, are billed directly to the client and are not overhead expenses.
2. Expedited Service was necessary and the service fees set forth below reflect the actual costs of the service.

Filing Fee:	\$158.00
Service Fees (expedited service):	\$ 45.00
TOTAL:	\$203.00

**I hereby declare that the above statement is true to the best of my knowledge and belief and that I understand it is made for use as evidence in court and is subject to penalty for perjury.**

Dated this 28 day of June, 2017.

Gordon, Aylworth & Tami, P.C.



☐ Matthew R. Aylworth, OSB #070930  
☐ Eleanor Tami, OSB #105214  
☐ Jessica A. Smith, OSB #144344  
☒ Peter A. Zochowski, OSB #131605  
of Attorneys for Plaintiff

IN THE CIRCUIT COURT FOR THE STATE OF OREGON  
FOR MULTNOMAH COUNTY

MIDLAND FUNDING, LLC,

Plaintiff,

Case No. 17CV18244

vs.

ERIC MACCARTNEY,

Defendant.

SATISFACTION  
OF JUDGMENT

\_\_\_ Partial or

XX Full Satisfaction of Judgment made and entered in the entitled Court and Cause.

Dated this 20 day of October, 2017.

Gordon, Aylworth & Tami, PC



[ ] Matthew R. Aylworth, OSB#070930

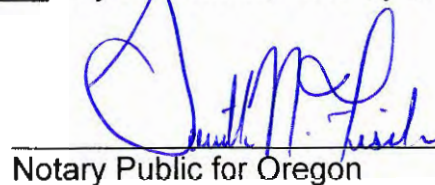
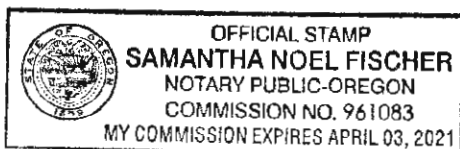
☒ Eleanor Tami, OSB#105214

[ ] Jessica A. Smith, OSB #144344

[ ] Peter A. Zochowski, OSB #131605  
of Attorneys for Plaintiff

State of OREGON  
County of Lane

SIGNED AND SWORN before me, this 20 day of October, 2017 by the above  
named Attorney for Judgment Plaintiff.

  
Notary Public for Oregon

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR CLACKAMAS COUNTY

MIDLAND FUNDING, LLC,

Case No. \_\_\_\_\_

Plaintiff,

vs.

COMPLAINT  
(For Breach of Contract)  
ORS 21.160(1)(a)

LUANNE MUELLER aka LUANNE MULLER,

**FOR A CLAIM LESS THAN \$10,000**  
SUBJECT TO MANDATORY ARBITRATION  
TOTAL CLAIM: \$1,303.49

Defendant.

Plaintiff alleges: BREACH OF CONTRACT

1.

Plaintiff is a limited liability company, which for good and valuable consideration purchased Defendant's Citibank, N.A./Sears credit account and contract and all of the associated rights thereunder.

2.

Defendant, an individual residing in Clackamas County Oregon, entered into a contract with Citibank, N.A./Sears for a credit account. The credit account was issued to Defendant under the account number \*\*\*\*\*1891.

3.

Citibank, N.A./Sears supplied the credit account to Defendant subject to an agreement to repay all amounts charged to the account plus all associated costs and fees.

4.

Defendant thereafter used the credit account and became indebted to Citibank, N.A./Sears.

5.

Citibank, N.A./Sears performed its obligations under the terms of the contract.

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6.

Defendant breached the contract by failing to make payment(s) as agreed. As a result, Defendant's credit account was charged off for delinquency on December 30, 2016.

7.

As a result of Defendant's breach, Defendant is indebted to Plaintiff in the sum of \$1,303.49. Plaintiff is also entitled to actual costs and disbursements.

WHEREFORE, Plaintiff prays for judgment against Defendant as follows:

1. The sum of \$1,303.49;
2. Plaintiff's costs and disbursements incurred herein.

Dated this 15 day of August, 2017.

Gordon, Aylworth & Tami, P.C.



☐ Matthew R. Aylworth, OSB #070930

☐ Eleanor Tami, OSB #105214

☐ Jessica A. Smith, OSB #144344

☒ Peter A. Zochowski, OSB #131605

Of Attorneys for Plaintiff

Trial Attorney not yet appointed

## **RETURN OF SERVICE**

State of Oregon

County of Clackamas

Circuit Court

Plaintiff:

Midland Funding, LLC

Case # 17CV35553

vs.

Defendant:

Luanne Mueller aka Luanne Muller

For:

Gordon, Aylworth & Tami, P.C.

P.O. Box 22338

Eugene, OR 97402

Received by Vision Investigative Services, LLC to be served on Luanne Mueller,  
5215 Bonita Rd., Lake Oswego, OR 97035-3209,

I, Linda L. Joll, do hereby affirm that on August 21, 2017,

Defendant was served a true copy of the Summons and Complaint at the address of 5215 Bonita Rd., Lake Oswego, OR 97035-3209, via certified mail, return receipt requested, restricted delivery. Attached hereto as Exhibit A is the certified mail receipt stamped by the US Post Office at Eugene, OR and the certified receipt signed by the Defendant on August 21, 2017. A follow-up mailing by first class mail occurred on August 31, 2017.

I am a competent person over the age of 18, a resident of the State of Oregon, and not a party to this action. I hereby declare under penalty of perjury under the laws of this State that the foregoing is true and correct.



Linda L. Joll

Process Server

Vision Investigative Services, LLC

P.O. Box 24005

Eugene, OR 97402

(541) 342-2276





Date Produced: 08/28/2017

GORDON AYLWORTH TAMI PC:

The following is the delivery information for Certified Mail™/RRE/RD item number 9236 0901 7907 6110 3941 82. Our records indicate that this item was delivered on 08/21/2017 at 12:03 p.m. in LAKE OSWEGO, OR 97035. The scanned image of the recipient information is provided below.

Signature of Recipient :

Address of Recipient :

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,  
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Customer Reference Number: 6011363646

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR CLACKAMAS COUNTY

MIDLAND FUNDING, LLC,

Plaintiff,

vs.

LUANNE MUELLER aka LUANNE MULLER,  
Defendant.

Case No. 17CV35553

STATEMENT FOR COSTS AND  
DISBURSEMENTS FOR PLAINTIFF  
(UTCR 5.080)

The undersigned attorney offers the following facts in support of an award of reasonable and necessary costs and disbursements:

1. Plaintiff is entitled to the recovery of reasonable and necessary costs and disbursements as authorized by ORCP 68A(2), including expedited service fees pursuant to ORS 20.115(2)(d). The costs, as detailed below, are billed directly to the client and are not overhead expenses.
2. Expedited Service was necessary and the service fees set forth below reflect the actual costs of the service.

Filing Fee:	\$158.00
Service Fees (expedited service):	\$45.00
TOTAL:	\$203.00

**I hereby declare that the above statement is true to the best of my knowledge and belief and that I understand it is made for use as evidence in court and is subject to penalty for perjury.**

Dated this 2 day of October, 2017.

Gordon, Aylworth & Tami, P.C.



☐ Matthew R. Aylworth, OSB #070930

☐ Eleanor Tami, OSB #105214

☐ Jessica A. Smith, OSB #144344

☒ Peter A. Zochowski, OSB #131605  
of Attorneys for Plaintiff

2/7/2018 3:59 PM  
17CV35553IN THE CIRCUIT COURT FOR THE STATE OF OREGON  
FOR CLACKAMAS COUNTY

MIDLAND FUNDING, LLC,

Plaintiff,

Case No. 17CV35553

vs.

LUANNE MUELLER aka LUANNE MULLER,  
Defendant.SATISFACTION  
OF JUDGMENT

\_\_\_ Partial or

XX Full Satisfaction of Judgment made and entered in the entitled Court and Cause.Dated this 1 day of February, 2018.

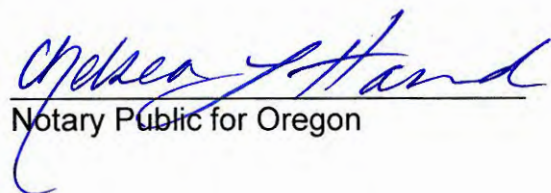
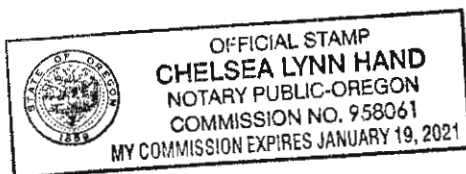
Gordon, Aylworth &amp; Tami, PC



[ ] Matthew R. Aylworth, OSB#070930

[ ] Eleanor Tami, OSB#105214

[ ] Jessica A. Smith, OSB #144344

[ ] Peter A. Zochowski, OSB #131605  
of Attorneys for PlaintiffState of OREGON  
County of LaneSIGNED AND SWORN before me, this 1 day of February, 2018 by the above  
named Attorney for Judgment Plaintiff.  
Notary Public for Oregon